

February 3, 2021

The Trustees of the Village of Malcolm met on Wednesday, February 3, 2021 at 7:00 p.m. in open session at the Village Hall located at 137 East 2nd Street, Malcolm, NE for such business as shall come before said Trustees. Notice of the meeting was in the January 21, 2021 "Clipper" and posted at the Village Hall and on the Malcolm Website on Monday, February 1, 2021.

ROLL CALL

Little, Schweitzer, Tarr, Faubion, Lemkau

Absent: none

OPEN MEETINGS LAW is posted and located on the wall as you enter the Village Hall.

VISITORS PRESENT: Wayne Regnier, Village back up sewer operator, Jim Densberger, Aaron King, Randy Brown, Tad Hardin, Randy Tonkinson.

APPROVAL OF MINUTES: Little made a motion to accept the minutes of the January 6, 2021 meeting, seconded by Schweitzer. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0.

TREASURER REPORT – Little made a motion to accept the treasurer's report for the month of January 2021, with disbursements of \$18,820.58 and deposits of \$47,590.45. Motion seconded by Schweitzer. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

Jim Densberger is the appointed Deputy Director Civil Defense Coordinator for the Village of Malcolm. The Lincoln-Lancaster County Emergency Management has changed the name of his position to "Community Liaisons". Jim was present and submitted a report for over 30 hours of time spent storm spotting in 2020.

Aaron King with Genoa Restaurant & Market was present and presented a quote to pave a portion of Lincoln Street on the east side of his building and 2nd Street on the south side of his property at 126 West 2nd Street. Board will take this under advisement and discuss later in the meeting and will be in contact with the Village Engineer.

Randy Brown MYSA/Field of Dreams representative was present to discuss the Community and Civic Center Financing Planning Grant (CCCFF). This grant is through the Nebraska Department of Economic Development. Southeast Nebraska Development District (SEND) will submit the completed application on behalf of the Village for a \$15,000.00 matching grant, MYSA will provide the funds to match the grant. A Letter of Intent to apply was signed by the Village Board on January 6, 2021.

The Village/MYSA was also awarded the Nebraska Game and Parks, Land and Water Conservation Fund Stateside Assistance Program grant for \$340,000.00 that will be used for lighting and other needs for the new ball fields.

BACKGROUND: CCCFF Planning Grant for the Malcolm Ball Field Expansion Project: Following further discussion, Tarr made a motion approving SEND to submit the CCCFF grant for the Village, contingent upon MYSA providing the matching part of the grant. Lemkau seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

VILLAGE MAINTENANCE REPORT: A report was submitted and received by the Board.

Well 3 - gallons per minute have dropped from 100-105 to 85 gallons per minute, Board asked for a bid for a rebuild of the pump and a bid for a new submersible pump and present at the next meeting.

Sargent submitted a bid for \$8,608.43 for a new flowmeter for well 4, following further discussion, Little made a motion to approve Sargent's bid for a new flowmeter, Lemkau seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

The new lift pump at the sewer plant is scheduled to be installed tomorrow by Iowa Pump.

Need new front tires for the dump truck, Jeff will look into it.

8:03 p.m. – PUBLIC HEARING – Little opened the Public Hearing at 8:03 p.m. for the proposed amendment to the Comprehensive Plan – future land use map, to change the southeast corner of 112th & Malcolm Road from Ag/Commercial to all Industrial. Tad Hardin was the only visitor present for the Public Hearing.

Little made a motion to close the Public Hearing at 8:09 p.m. Lemkau seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0.

Little made a motion to approve the updated Future Land Use Map for the Comprehensive Plan from Ag/Commercial to Industrial. Faubion seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0.

8:15 p.m. – PUBLIC HEARING – Little opened the Public Hearing at 8:15 p.m. for the Change of Zone from Agricultural to Industrial for the property at the southeast corner of 112th & Malcolm Road. Tad Hardin was the only visitor present for the Public Hearing.

Little made a motion to close the Public Hearing at 8:19 p.m. Tarr seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0.

Little made a motion to suspend the three-reading rule for Ordinance 2021-01. Schweitzer seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Lemkau, Schweitzer, Tarr, Faubion, Little; NAY: None; Motion carried 5-0.

Little made a motion to approve Ordinance 2021-01, an Ordinance of the Village of Malcolm, Lancaster County, Nebraska, to approve the change of zone of certain real property within the zoning jurisdiction of the Village of Malcolm from Agricultural District to Industrial Park District; to make findings; to amend the zoning map of the Village of Malcolm; accordingly, to repeal and conflicting Ordinances; and to provide for an effective date. Following the reading and further discussion, the Chairperson called for a roll call vote recorded as follows: AYE: Faubion, Little, Tarr, Schweitzer, Lemkau; NAY: None; Motion carried 5-0.

ATTORNEY'S REPORT: A report was submitted and received by the Board.

Schweitzer made a motion to have all files for the Comprehensive Plan given to Miller and Associates for continued updates. Tarr seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0.

VILLAGE CLERK'S REPORT: A report was submitted and received by the Board.

BACKGROUND: Elk Creek bank stabilization project: Randy Tonkinson was present so that the Board could visit with Randy about using his land when it was frozen to fix an erosion problem on the bank of the creek behind left field at the existing ball field. Mr. Tonkinson had several concerns with the Village using his land, so the Board will revisit with Gana Construction and figure out another plan to get to the problem areas.

Lower Platte South NRD approved the Village's request for funding assistance for the Elk Creek bank stabilization project not to exceed \$24,118.00 NRD share.

Tarr made a motion to accept Gana Trucking & Excavating, Inc. bid for \$42,036.00 for the erosion repair on Elk Creek banks north of the existing ball field. Lemkau seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0.

BACKGROUND: Modifications for 513 Education Drive: Mike Beach was present to discuss the Building Permit and plans submitted for the remodeling project at 513 Education Drive. After further review of the plans and permit, Little made a motion to approve the building permit contingent on the Village Inspector's review. Structural drawings will need to be submitted depending on the plan review from the Village Inspector. Lemkau seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0.

BACKGROUND: Annexation of Malcolm Road in front of the Methodist Church; a Public Hearing will be held on February 24th at the Malcolm Planning Commission Meeting for the annexation of the portion of Malcolm Road in front of the Church and the Malcolm Methodist Church and a Public Hearing will be held on March 3rd at the Village Board of Trustees meeting for the same item.

BACKGROUND: Demolition Permit Application – 510 South Lincoln Street: Charlotte Whisenhunt submitted a permit to demo the detached garage at 510 South Lincoln Street. After further review and discussion, Little made a motion to approve the Demolition Permit Application, Faubion seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau: NAY: None; Motion carried 5-0.

BACKGROUND: Liquor License request for Genoa Restaurant and Market: a Public Hearing will be held on March 3rd for a new Liquor License for Genoa Food Co.

Recommendation 363 – Proposed revision to the Comprehensive Plan – future land use map for the proposed change of zone from Commercial/agriculture to Industrial: Public hearing was held earlier in the meeting. Recommendation 363 was reviewed during that time.

Recommendation 364 – Change of zone from Agriculture to Industrial for property at the corner of 112th & Malcolm Road: Public hearing was held earlier in the meeting. Recommendation 364 was reviewed during that time.

Recommendation 365 – Proposed draft Ordinance for guidance on the regulations of Shipping Containers within the Village limits: This item will be tabled so that the Attorney and Board members have time to review.

Recommendation 366 – Proposed draft Ordinance of increase in the fee structure for services and products provided by the Village of Malcolm: This item will be tabled so that the Attorney and Board members have time to review.

Discussion continued regarding the request from Mr. King about paving around the building at 126 E. 2nd Street. Little made a motion to contact Miller and Associates to see what it would take to do something with the streets downtown. Lemkau seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau: NAY: None; Motion carried 5-0.

With no further business to discuss, Little moved to adjourn at 10:10 p.m. Schweitzer seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NYE: None; Motion carried 5-0; Members absent: None.

Nadine Link, Village Clerk